

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JESSIE J. BARNES,

Plaintiff,

v.

9:04-CV-164

LESTER WRIGHT, et al.,

Defendants.

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APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

**last known address**

JESSIE J. BARNES, pro se

FOR THE DEFENDANTS:

OFFICE OF NYS ATTORNEY GENERAL  
615 Erie Boulevard West  
Suite 102  
Syracuse, New York 13204-2455

SENTA SIUDA, ESQ.

NORMAN A. MORDUE, DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 9<sup>th</sup> day of June, 2005. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

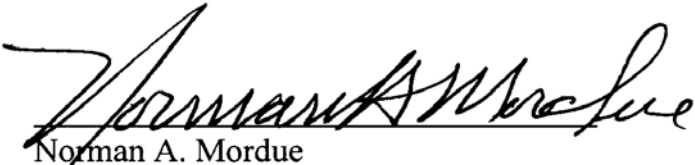
1. The Report-Recommendation is hereby approved.

2. This action is dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, based upon plaintiff's failure to prosecute and to comply with this court's orders and local rules of practice.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: July 1, 2005  
Syracuse, New York

  
Norman A. Mordue  
U.S. District Judge